

## UNITED STATES DISTRICT COURT

for the

Western District of NY

ALEX J. COLE, individually and on behalf of  
others similarly situated, \_\_\_\_\_ )  
Plaintiff \_\_\_\_\_ )  
 v. \_\_\_\_\_ )  
 STEPHEN EINSTEIN & ASSOCIATES, P.C. \_\_\_\_\_ )  
 and SECOND ROUND, E.P. d/b/a/ Third Round, L.P., \_\_\_\_\_ )  
Defendant \_\_\_\_\_ )

Civil Action No. 18-cv-06230-EAW

**JUDGMENT IN A CIVIL ACTION**The court has ordered that (*check one*):

the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_ .

other: Defendants' third motion to dismiss is granted, and Defendants' and Plaintiffs respective requests for sanctions are denied. The Clerk of Court is directed to close this case.

This action was (*check one*):

tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

decided by Judge Elizabeth A. Wolford in favor of defendants'.

Date: 02/06/2019

